

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

ATTORNEY'S DOCKET NUMBER

B1180/20051

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/564,904

|                               |                                                              |                       |
|-------------------------------|--------------------------------------------------------------|-----------------------|
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE                                    | PRIORITY DATE CLAIMED |
| PCT/EP2004/008051             | July 19, 2004                                                | July 18, 2003         |
| TITLE OF INVENTION            | DEVICE AND METHOD FOR HANDLING A PROBE                       |                       |
| APPLICANT(S) FOR DO/EO/US     | Günter R. FUHR, Uwe SCHÖN, Heiko ZIMMERMANN and Young-Joo OH |                       |

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1.  This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2.  This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3.  This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4.  The US has been elected (Article 31).
5.  A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto (required only if not communicated by the International Bureau).
  - b.  has been communicated by the International Bureau.
  - c.  is not required, as the application was filed in the United States Receiving Office (RO/US).
6.  An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
  - a.  is attached hereto.
  - b.  has been previously submitted under 35 U.S.C. 154(d)(4).
7.  Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a.  are attached hereto (required only if not communicated by the International Bureau).
  - b.  have been communicated by the International Bureau.
  - c.  have not been made; however, the time limit for making such amendments has NOT expired.
  - d.  have not been made and will not be made.
8.  An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.  An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10.  An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

11.  An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.  An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included.
13.  A preliminary amendment.
14.  An Application Data Sheet under 37 CFR 1.76.
15.  A substitute specification.
16.  A power of attorney and/or change of address letter.
17.  A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18.  A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19.  A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20.  Other items or information: Express mail transmittal sheet, Submission of Declaration and return receipt post card

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |              |                                                                                  |         |                       |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------|---------|-----------------------|--|
| U.S. APPLICATION NO. (If known, see 37 CFR 1.5)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |              | INTERNATIONAL APPLICATION NO.                                                    |         | ATTORNEY'S DOCKET NO. |  |
| 10/564,904                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |              | PCT/EP2004/008051                                                                |         | B1180/20051           |  |
| The following fees have been submitted:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                                                                                  |         |                       |  |
| 21. <input type="checkbox"/> Basic national fee ..... \$300                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |              |                                                                                  |         |                       |  |
| 22. <input type="checkbox"/> Examination fee<br>If the written opinion prepared by ISA/US of the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0<br>All other situations ..... \$200                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |              |                                                                                  |         |                       |  |
| 23. <input type="checkbox"/> Search fee<br>If the written opinion prepared by ISA/US of the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$0<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority ..... \$100<br>International Search Report prepared an ISA other than the US and provided to the Office or previously communicated to the US by the IB ..... \$400<br>All other situations ..... \$500                                                                                                                                                                                                               |              |                                                                                  |         |                       |  |
| <b>TOTAL OF 21, 22 and 23 =</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |              |                                                                                  |         |                       |  |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing filed in an electronic medium) (37 CFR 1.492(j)).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.                                                                                                                                                                                                                                                                                                                                                                                                                                                           |              |                                                                                  |         |                       |  |
| Total Sheets                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Extra Sheets | Number of each additional 50 or fraction thereof<br>(round up to a whole number) | RATE    |                       |  |
| - 100 =                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | /50 =        |                                                                                  | x \$250 |                       |  |
| Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |              |                                                                                  |         |                       |  |
| CLAIMS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | NO. FILED    | NUMBER EXTRA                                                                     | RATE    |                       |  |
| Total claims                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | - 20 =       |                                                                                  | x \$50  |                       |  |
| Independent                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | - 3 =        |                                                                                  | x \$200 |                       |  |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |              |                                                                                  |         |                       |  |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |              |                                                                                  |         |                       |  |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.<br><b>SUBTOTAL =</b> \$ 65                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |              |                                                                                  |         |                       |  |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |              |                                                                                  |         |                       |  |
| <b>TOTAL NATIONAL FEE =</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |              |                                                                                  |         |                       |  |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |              |                                                                                  |         |                       |  |
| <b>TOTAL FEES ENCLOSED =</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |              |                                                                                  |         |                       |  |
| 02/24/2005 03-0075 00000110 030073 10564904<br>02 FD-527 130.00 DA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |              |                                                                                  |         |                       |  |
| Amount to be refunded:<br>Amount to be charged:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |              |                                                                                  |         |                       |  |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 03-0075 in the amount of \$ 65 to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-0075. A duplicate copy of this sheet is enclosed.<br>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. |              |                                                                                  |         |                       |  |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the Application to pending status.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |              |                                                                                  |         |                       |  |
| <br><b>SIGNATURE</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |              |                                                                                  |         |                       |  |
| SEND ALL CORRESPONDENCE TO:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |              |                                                                                  |         |                       |  |
| Customer No. 03000<br><br><div style="border: 1px solid black; padding: 5px; width: 150px; margin-left: 10px;">Customer No. 03000</div>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                                                                                  |         |                       |  |
| David M. Tener<br>NAME<br>37.054<br>REGISTRATION NUMBER                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |              |                                                                                  |         |                       |  |

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant(s): Günter R. Fuhr et al.

U.S. App. Serial No: 10/564,904

International App. No.: PCT/EP2004/008051

Filed: January 17, 2006

International Filing Date: July 19, 2004

Att. Docket No.: B1180/20051

Confirmation No.:

For: DEVICE AND METHOD FOR HANDLING A PROBE

**SUBMISSION OF DECLARATION**

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants enclose a Declaration executed by the inventors to complete the filing requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).

The Declaration is compliant with 37 CFR 1.497(a) and (b), when read in conjunction with the Application Data Sheet filed January 17, 2006, which identifies the International Application Number (PCT/EP2004/008051) and International Filing Date (July 19, 2004). 37 CFR §§ 1.497(c) and 1.67.

As of this date, a Notification of Missing Requirements Under 35 U.S.C. 371 has not been received. Applicant respectfully requests that a Notice of Acceptance be issued.

Respectfully submitted,  
CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.

By 

David M. Tener  
Registration No. 37,054  
Customer No. 03000  
(215) 567-2010  
Attorneys for Applicant(s)

February 21, 2006

Please charge or credit our Account No.  
03-0075 as necessary to effect entry and/or  
ensure consideration of this submission.

Attny Docket No. B1180/20051  
PTO Customer No. 03000

Applicants : Günter R. FUHR et al  
U.S. Appln. No. 10/564,904  
Title DEVICE AND METHOD FOR HANDLING A PROBE

The following documents are submitted for the above-identified invention for entry into the U.S. National stage under 35 U.S.C. §371, based on the International Application No. PCT/EP2004/008051, which includes the following:

1. One (1) sheet of Transmittal Letter;
2. Calculation sheet, in duplicate;
3. Submission of Declaration;
4. Declaration and Power of Attorney; and
5. Return Receipt Post Card

EL962206755US

"Express Mail" Mailing Label No.

Date of Deposit February 21, 2006

I hereby certify that the above-identified documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

*Marie Trahey*

Marie Trahey